

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SUPPLEMENTAL DOCKET NUMBER 2
FOR THE REGULAR MEETING OF
MONDAY, OCTOBER 11, 2004 AT 2:00 P.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

ADOPTION AGENDA, CONSENT ITEMS

ORDINANCE TO BE INTRODUCED WITH RESOLUTION TO BE ADOPTED:

* ITEM-S405: Additional Funding and Second Amendment to Consultant Agreement with Earth Tech for the El Camino Real Bridge Replacement and Road Widening Project.

(Carmel Valley, NCFUA Subarea II Community Area. District-1.)

CITY MANAGER’S RECOMMENDATION:

Introduce the following ordinance in Subitem A; and adopt the resolution in Subitem B:

Subitem-A: (O-2005-49)

Introduction of an Ordinance authorizing the City Manager to execute the Second Amendment to the Agreement with Earth Tech for professional services for El Camino Real - San Dieguito Road to Via De La Valle, in an amount not to exceed \$275,394, under the terms and conditions set forth in the Agreement, together with any reasonably necessary modifications or amendments thereto which do not increase project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of this project and agreement;

Authorizing the expenditure of an amount not to exceed \$275,394 from CIP-52-479.0, El Camino Real - San Dieguito Road to Via De La Valle, Fund 38728, for the purpose of executing the Second Amendment to the Agreement with Earth Tech, provided that the City Auditor and Comptroller first furnishes a certificate certifying that funds are available;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to return excess funds, if any, to the appropriate reserves.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

ORDINANCE TO BE INTRODUCED WITH RESOLUTION TO BE ADOPTED: (Continued)

* ITEM-S405: (Continued)

Subitem-B: (R-2005-393)

Authorizing the City Auditor and Comptroller to increase the Fiscal Year 2005 Capital Improvement Budget for CIP-52-479.0, El Camino Real - San Dieguito Road to Via De La Valle, by \$1,002,400, Fund 38728;

Authorizing the City Auditor and Comptroller to accept, appropriate, and expend a total of \$1,700,000 of Highway Bridge Rehabilitation and Replacement (HBRR) Funds, Fund 38728, for CIP-52-479.0;

Authorizing the City Manager to execute all program supplements, amendments, and other grant related documentation necessary for obtaining HBRR funds for CIP-52-479.0, El Camino Real - San Dieguito Road to Via De La Valle;

Authorizing the City Auditor and Comptroller to accept, appropriate, and expend an amount not to exceed \$500,000 of private contributions from Black Mountain Ranch, LLC, Fund 63022, for CIP-52-479.0, provided that the City Auditor and Comptroller first furnishes a certificate certifying that funds necessary for expenditures are on deposit with the City Treasury;

Authorizing the City Auditor and Comptroller to increase the Fiscal Year 2005 Capital Improvement Budget for CIP-52-479.0, El Camino Real – San Dieguito Road to Via De La Valle, by \$500,000 contingent upon receipt of the said funds;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

CITY MANAGER'S SUPPORTING INFORMATION:

The El Camino Real project consists of replacing the structurally deficient bridge over the San Dieguito River along with roadway improvements on El Camino Real (Via de la Valle to San Dieguito Road) and Via de la Valle (between the northern and southern segments of El Camino Real). The project also includes curbs, gutters, sidewalks, bike lanes, equestrian trails, landscaping, traffic signal, and other related improvements.

When Earth Tech was initially selected to perform the design, insufficient funds were available to allow for the entire cost of design effort, due to the phased authorization nature of the grant. As a result, the design was divided into phases.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

ORDINANCE TO BE INTRODUCED WITH RESOLUTION TO BE ADOPTED: (Continued)

* ITEM-S405: (Continued)

CITY MANAGER'S SUPPORTING INFORMATION: (Continued)

On March 31, 1998, pursuant to Resolution 289908, the City Council authorized the execution of the original contract with Earth Tech in the amount of \$411,817 to provide initial environmental studies and conceptual design work for the El Camino Real Bridge Replacement and Road Widening. On August 6, 2001, pursuant to Resolution 295346, the City Council authorized the execution of a contract in the amount of \$450,684 with Earth Tech to prepare a final environmental report and continue conceptual design for the El Camino Real Bridge Replacement and Road Widening. Due to the changes in environmental document scope and process, the Second Amendment is being processed for additional development of the environmental report and conceptual design. This additional work includes a major revision to the project alternatives. After this phase of the project is completed and the environmental document approved, it is anticipated that a new contract will be solicited to provide the final design and construction documents for the project.

On August 18, 2004, Caltrans increased the grant amount to reflect the progress of the environmental document and an increase in scope of the grant eligibility requested by City staff. For this, Caltrans has issued an Authorization to Proceed (E76) for remaining preliminary engineering and environmental document work. In addition, Black Mountain Ranch, LLC has offered to contribute, in advance of their obligation, additional funding as necessary to continue the development of the project. Together, these increases will provide the funds necessary for this action and represent a significant increase in the funding available to this project.

FISCAL IMPACT:

The cost of this Second Amendment is \$275,394, which includes \$16,100 for additional services. Funding for all costs of this amendment are available from the additional grant funding authorized by Caltrans (E76) and will be fully reimbursed, subject to the grant conditions.

Mendes/Boekamp/Zoumaras

Aud. Cert. 2500341.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS:

* ITEM-S406: Children's Hospital and Health Center Day.

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-397)

Recognizing Children's Hospital and Health Center for fifty years of outstanding service to the people of San Diego;

Proclaiming November 6, 2004, to be "Children's Hospital and Health Center Day" in the City of San Diego.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- * ITEM-S407: Additional Funding and Award of Public Works Contract to Heffler Company, Inc., for Lisbon Street Roadway and Utility Undergrounding Improvements.

(Skyline/Paradise Hills Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-395)

Authorizing the City Manager to award the Project contract to Heffler Company, Inc., in an amount not to exceed \$2,058,594, consisting of \$887,678 from CIP-52-654.0, Lisbon Street, Fund 30300 – TransNet, and \$1,170,916 from CIP-37-028.0, Annual Allocation Undergrounding City Utilities, Fund 30101 – Undergrounding Surcharge, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$272,102 from TransNet Fund 30300, CIP-52-409.0, 43rd Street and Logan/National Avenue Intersection to CIP-52-654.0, Lisbon – Imperial Avenue to 217 feet E/O 71st Street;

Authorizing an additional expenditure of an amount not to exceed \$272,102 from TransNet Fund 30300, CIP-52-409.0, 43rd Street and Logan/National Avenue Intersection to CIP-52-654.0, Lisbon – Imperial Avenue to 217 feet E/O 71st Street, solely and exclusively, for the purpose of providing funds for the Project and related costs, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S407: (Continued)

CITY MANAGER SUPPORTING INFORMATION:

The Lisbon - Imperial Avenue to 217 feet E/O 71st Street project includes widening Lisbon Street from Imperial Avenue to 71st Street to a modified 3 lane collector, which will provide additional traffic safety and capacity. The project also includes drainage improvements, sidewalk, curb, gutter, driveways, bus access, retaining walls, and curb ramps. In conjunction with the roadway improvements, this project will provide for the undergrounding of the overhead utilities in the area. This coordination will reduce future disturbance of the new roadway. The utility undergrounding work is part of the surcharge fee agreement in accordance with California Public Utilities Commission Rules and was approved for use with the Lisbon Street Undergrounding District as part of a recent Council action.

As approved by Council (R298846), the construction contract was advertised in May 2004 with funding for the base bid and basic utility undergrounding. After some property acquisition delays, bids were opened on July 28, 2004. The lowest responsible bid was submitted by Heffler Company, Inc., which was 31% above the engineer's estimate for the base bid. After an in-depth review of the bid information, it is not anticipated that rejecting and re-bidding the contract would result in significantly lower bid prices. In addition, since the work contained in bid alternatives "B" through "F" includes such critical items as complete utility undergrounding, street light replacement, and transit related improvements, it is recommended that these be awarded as well. However, since the existing roadway areas adjacent to the proposed widening portions have been determined to be structurally adequate, the work for bid alternative "A" (complete resurfacing) is not considered critical to the project. Other contract provisions will provide for a slurry seal treatment of these areas in lieu of complete resurfacing.

FISCAL IMPACT:

Using the bid received, the total project cost with the inclusion of Additive Alternates "B", "C", "D", "E", and "F" is \$2,851,591 with \$1,381,916 of this amount being for utility undergrounding work and \$1,469,675 being for the roadway portion of the project. Since \$2,273,171 of the total has been previously authorized, \$578,420 of additional funding is needed to award the contract with these bid alternatives. To cover this shortfall, \$306,318 is available from Utility Surcharge funds, CIP-37-028.0 (Undergrounding of City Utilities) and \$272,102 is available from TransNet funds, CIP-52-409.0, 43rd Street and Logan/National Avenue Intersection.

Mendes/Boekamp/RL

Aud. Cert. 2500351.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S408: Black Mountain Ranch Unit No. 9A Final Map Including Building Restricted Easement and Road Survey Vacations.

(Black Mountain Ranch Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-396)

Approving map of Black Mountain Ranch Unit No. 9A.

CITY MANAGER SUPPORTING INFORMATION:

This 56.776-acre map proposes 31 lots consisting of 22 lots for residential development, 1 lot for general utilities and access, 3 open space lots and 6 building restricted lots. It is located in the Black Mountain Ranch Community Plan area, northeasterly of San Dieguito Road and Camino Ruiz in Council District 1. This map requires City Council approval because building restricted easements and road surveys are being vacated on the map.

This property has been previously subdivided. In connection with the original map of Black Mountain Ranch Unit No. 9, public improvements and landscaping, as shown on Engineering Drawing Nos. 30589-D and 31086-D have been approved, and a Subdivision Improvement Agreement entered into and bonds posted in the amount of \$613,846 to assure the work. During the final stages of development of the Black Mountain Ranch project, the two additional lots within Black Mountain Ranch Unit No. 9 were requested. A Substantial Conformance Review has approved the addition of these two lots, which requires the vacation of a portion of a previously granted building restricted easement. Staff has determined that this revised project is consistent with all previously approved permits, and the City Engineer has approved the map. In connection with this map, 3 open space lots totaling approximately 16.574 acres are being deeded to the City at no cost.

FISCAL IMPACT:

None.

Loveland/Halbert/GRB